

### REMARKS

Reconsideration and allowance of the above identified patent application are hereby requested. Claims 9, 11-13, 15, 17, 18, 27, 29-31, 33, 35, 36, and 47-53 are now in the application with claims 9, 27, and 47 being independent. Claims 9, 15, 27, 33, 47, and 51 have been amended. Claims 37-46 have been previously withdrawn.

### **Rejection Under 35 U.S.C. §102**

Claims 9, 11, 12, 15, 17, 18, 27, 29, 30, 33, 35, 36, 47-49, and 51-53 stand rejected under 35 U.S.C. §102(e) as allegedly being anticipated by U.S. Patent No. 6,961,750 to Burd et al. The rejections are respectfully traversed.

Amended claim 9 recites (underlining added for emphasis) “A computer implemented method of associating information received by a client from a server with an object, comprising: locating, at the client, a start identifier and an end identifier in the information received from the server, wherein the end identifier corresponds to the start identifier; identifying, at the client, a first object associated with at least one of the start identifier and the end identifier, wherein the first object comprises server side code; and storing, at the client, an item of information appearing between the start identifier and the end identifier in association with the first object, wherein the item of information comprises a result generated by the server in accordance with the first object.”

As exemplified in the specification, an item of information comprising a result generated by a server can be stored at a client in association with a first object comprising server side code.

For example, the specification (page 24, lines 11-19) discloses (underlining added for emphasis)...

The server side code results may be retrieved once for an object and any server side code result that is different from the source code that generated it may be stored as a property in the object data structure for one or more objects as described below so that the same data can be used to render the object, or the server side code result may be retrieved from the server either periodically or whenever any server side code is modified as described below.

Burd et al. fail to disclose, teach, or suggest the claimed subject matter.

Burd et al. do not teach storing, at the client, an item of information comprising a result generated by a server in association with a first object comprising server side code. In fact, Burd et al. disclose the presence of server-side code only at the server, not at the client. For example, Burd et al. (Col. 6, lines 44-48) disclose (underlining added for emphasis)...

Server-side events raised by the control objects declared in the dynamic content resource 124 may be processed by server-side code, which calls appropriate methods in the non-user-interface server component 130.

Thus, Burd et al. teach that server-side code is used to process server-side events. Further, Burd et al. (Col. 15, lines 1-58) disclose that (underlining added for emphasis)...

FIG. 6 illustrates a process flow diagram representing server-side processing of a page 1 object and other control objects in an embodiment of the present invention....The Init operation 604 initializes a control object after it is created by executing any server-side code associated with initialization in the dynamic content resource. In this manner, each server-side control object may be customized with specific server-side functionality that is declared in the dynamic content resource.

Therefore, Burd et al. teach that server-side code is executed in server-side processing. Further, Burd et al. teach that a server-side control object has server-side functionality. However, Burd et al. do not disclose, teach, or suggest providing server-side code to a client.

Moreover, Burd et al. do not disclose storing a result generated by a server in association with a first object comprising server side code. Rather, Burd et al. teach that a result, such as authoring language code, is provided to a client for display. For example, Burd et al. (Col. 3, lines 19-22) disclose that (underlining added for emphasis)...

Furthermore, a hierarchy of server-side control objects can cooperate to generate the resulting authoring language code, such as standard HTML, for display of a web page on a client.

Thus, Burd et al. teach that the result is generated by server-side control objects for display on a client. Burd et al. do not, however, disclose storing the result at the client. Furthermore, Burd et al. do not disclose storing the result in association with a first object comprising server side code. To the contrary, as discussed above, Burd et al. do not disclose providing server-side code to the client. Accordingly, Burd et al. do not disclose, teach, or suggest storing, at the client, an item of information appearing between the start identifier and the end identifier in association with the first object, wherein the item of information comprises a result generated by the server in accordance with the first object, as is claimed.

The Office (Action of October 12, 2007 at page 3) also asserts that Burd et al. teach (underlining added for emphasis)...

identifying, at the client, a first object associated with at least one of the start identifier and the end identifier, wherein the first object comprises server side code (server-side control object) (col. 12, lines 6-34, col. 13, lines 1-20);...

Thus, the Office asserts that the server-side control object represents the first object, which comprises server side code. However, Burd et al. do not disclose identifying, at the client, a server-side control object associated with at least one of the start identifier and the end identifier in the information received from the server. Rather, Burd et al. (Col. 12, lines 6-34) disclose that a server-side control object renders HTML code for a client-side object.

For example, Burd et al. (Col. 12, lines 6-10) disclose (underlining added for emphasis)...

As such, the server-side button control objects generated in response to the declarations in file 400 render the HTML code for the client-side buttons and an associated server-side code for implementing the button click events.

Thus, Burd et al. fail to teach that a server-side control object is associated with at least one of the start identifier and the end identifier in the information received from the server, as is claimed.

Further, Burd et al. (Col. 13, lines 1-20) disclose using declarative tags to specify server-side code objects. For example, Burd et al. (*Id.*) disclose (underlining added for emphasis) "These custom server-side control objects are specified using declarative tags within a page file." However, Burd et al. do not disclose that the declarative tags include a start identifier and an end identifier, or that such a start identifier and end identifier are included in the information received from the server. Burd et al. also do not disclose sending a page file to a client.

Moreover, Burd et al. (Col. 4, lines 60-65) disclose that (underlining added for emphasis)...

In an embodiment of the present invention, server-side control objects logically correspond to client-side user interface elements and generate at a server the

authoring language code to be used by a client-side browser to display and process a web page.

Thus, Burd et al. teach that server-side control objects operate at a server. Further, Burd et al. teach that server-side control objects have corresponding client-side elements. Burd et al. do not, however, disclose that server-side control objects are sent to or identified at a client. Accordingly, Burd et al. do not disclose, teach, or suggest identifying, at the client, a first object associated with at least one of the start identifier and the end identifier, wherein the first object comprises server side code, as is claimed.

For at least these reasons, claim 9 is allowable over Burd et al. Claims 11-13, 15, 17, and 18 depend from claim 9. Therefore, dependent claims 11-13, 15, 17, and 18 are allowable for at least the reasons discussed with respect to claim 9.

Further, claims 27 and 47 include subject matter similar to that discussed with respect to claim 9. Therefore, independent claims 27 and 47 are allowable over Burd et al. for at least the reasons discussed with respect to claim 9. Claims 29-31, 33, 35, and 36 depend from claim 27, and are thus allowable based at least on claim 27. Claims 48-53 depend from claim 47 and are thus allowable based at least on claim 47.

### **Rejection Under 35 U.S.C. §103**

Claims 13, 31, and 50 stand rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 6,961,750 to Burd et al. The rejection is respectfully traversed.

Claim 13 recites (underlining added for emphasis) "The method of claim 12 wherein the start identifier comprises an even number and the end identifier comprises an odd number, wherein the value of the end identifier is greater than the value of the start identifier."

The Office (Action of October 12, 2007 at page 6) concedes that (underlining added for emphasis) "As to claim 13, Burd and Chui are silent in teaching wherein the start identifier comprises an even number and the end identifier comprises an odd number, wherein the value of the end identifier is greater than the value of the start identifier." It is presumed that Chui was unintentionally mentioned, as the reference is not identified in paragraph 15 of the present action. Nonetheless, the Office (*Id.*) asserts...

However, it would have been obvious to sequentially number the identifiers (same thing as the start identifier comprises an even number and the end identifier comprises an odd number, wherein the value of the end identifier is greater than the value of the start identifier) because numbering the identifiers in sequence would make the identifier easier to track.

The Office does not state that it is taking Official Notice regarding the start identifier comprising an even number and the end identifier comprising an odd number, wherein the value of the end identifier is greater than the value of the start identifier. Nonetheless, taking Official Notice with respect to claim 13 would be inappropriate because the subject matter is not capable of instant and unquestionable demonstration as being well-known. MPEP §2144.03 A. states (underlining added for emphasis)...

It would not be appropriate for the examiner to take official notice of facts without citing a prior art reference where the facts asserted to be well known are not capable of instant and unquestionable demonstration as being well-known. For example, assertions of technical facts in the areas of esoteric technology or

specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. *In re Ahlert*, 424 F.2d at 1091, 165 USPQ at 420-21.

Further, MPEP §2144.03 B. states (underlining added for emphasis)...

**If Official Notice Is Taken of a Fact, Unsupported by Documentary Evidence, the Technical Line of Reasoning Underlying a Decision To Take Such Notice Must Be Clear and Unmistakable**

Ordinarily, there must be some form of evidence in the record to support an assertion of common knowledge. See *Lee*, 277 F.3d at 1344-45, 61 USPQ2d at 1434-35 (Fed. Cir. 2002); *Zurko*, 258 F.3d at 1386, 59 USPQ2d at 1697 (holding that general conclusions concerning what is “basic knowledge” or “common sense” to one of ordinary skill in the art without specific factual findings and some concrete evidence in the record to support these findings will not support an obviousness rejection).

The Office fails to provide an adequate technical line of reasoning, as required when taking Official Notice without documentary support. For example, the Office does not provide any support for the assertion that including a start identifier comprising an even number and an end identifier comprising an odd number would make the identifier easier to track. Further, the Office does not provide a reason why the identifiers allegedly disclosed by Burd et al. would need to be tracked. Additionally, the Office also does not indicate how this result would be achieved or that such a practice was well-known.

For at least these reasons, the subject matter of claim 13 is patentable over Burd et al. and the asserted technical facts. Further, claims 31 and 50 include subject matter similar to that discussed with respect to claim 13. Therefore, claims 31 and 50 are allowable for at least the reasons discussed with respect to claim 13.

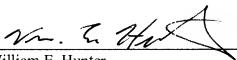
### Concluding Comments

The foregoing comments made with respect to the positions taken by the Examiner are not to be construed as acquiescence with other positions of the Examiner that have not been explicitly contested. Accordingly, the above arguments for patentability of a claim should not be construed as implying that there are not other valid reasons for patentability of that claim or other claims.

In view of the above remarks, claims 9, 11-13, 15, 17, 18, 27, 29-31, 33, 35, 36, and 47-53 should be in condition for allowance, and a formal notice of allowance is respectfully requested. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

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